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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Devonte Okeith Mathis,

Defendant.

NO. CR21-2714-TUC-RM (MSA)

**MOTION TO CONTINUE
TRIAL AND EXTEND PLEA
DEADLINE**

(Second Request – In Custody)

It is expected that excludable delay under Title 18, United States Code,
§ 3161(h)(7)(A), (B)(iv), will occur as a result of this motion or an order based thereon.

Defendant, Devonte Okeith Mathis, through counsel, requests a 60-day
continuance of the trial date currently scheduled for February 23, 2022, and to extend the
plea deadline currently set for February 4, 2022. This request is made for the following
reasons:

1. Defense counsel is still waiting on disclosure and an offer from the
Government. Counsel will need additional time to review said disclosure
and any Government plea offer with Mr. Mathis. Additional time is needed

1 to conduct investigation and pretrial preparation for a trial or a non-trial
2 disposition.

3 2. Assistant United States Attorney, Dimitra Sampson, has no objection to this
4 request.
5

6 3. Denial of this request to continue will result in a miscarriage of justice. 18
7 U.S.C. § 3161(h)(7)(B)(i).
8

9 4. This is the second request to continue. Mr. Mathis is in custody.

10 In the interest of judicial economy and in order to resolve any pretrial matters
11 efficiently, counsel requests a continuance of 60 days of the plea deadline and trial date
12 set. This request is not made for the sole purpose of delay.
13

14 RESPECTFULLY SUBMITTED: February 7, 2022.

15 JON M. SANDS
16 Federal Public Defender

17 *s/ Walter Eric Rau*

18 W. ERIC RAU
Attorney for Defendant

19 ECF copies this date to:

20 DIMITRA SAMPSON,
21 KEITH VERCAUTEREN, and
22 LINDSAY SHORT,
23 Assistant United States Attorneys
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